

# Order

Michigan Supreme Court  
Lansing, Michigan

March 31, 2010

Marilyn Kelly,  
Chief Justice

140371

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellant,

v

SC: 140371  
COA: 286479  
Jackson CC: 07-004218-FH

DAVID RAY SMITH,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the November 19, 2009 judgment of the Court of Appeals is considered, and it is GRANTED, limited to the issue whether points may be assessed pursuant to MCL 777.49 (OV 19) for conduct that occurs after the sentencing offense is completed.

The Criminal Defense Attorneys of Michigan and the Prosecuting Attorneys Association of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



p0324

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 31, 2010

*Corbin R. Davis*

Clerk